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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

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8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 vs.)

11 JOSE LUIS BELTRAN OBESO,)

12 Defendant.)
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Case No. 2:03-cr-0554-RLH-PAL

ORDER
(Motion for Sentence Relief #131)

14 Before the Court is Defendant's **Motion for Sentence Relief Under the Federal**
15 **Prison Bureau Non-Violent Offender Relief Act of 2003** (#131, filed June 10, 2010). No service
16 was made on the United States Attorney. Accordingly, no response is expected and the Court will
17 rule immediately.

18 This motion will be denied for several reasons.

19 First, the Act cited in the body of the motion is 18 U.S.C. §3624. This act authorizes
20 the Bureau of Prisons to reduce a prisoner's time of imprisonment based upon good-time credits. It
21 does not, however, authorize the Court to order the implementation of those credits or to order the
22 Bureau of Prisons to take any action with regard to that statute. The Bureau of Prisons has the sole
23 discretionary authority to determine whether a prisoner is qualified or should receive the benefits of
24 that statute. Accordingly, the Court has no jurisdiction to provide the relief requested.

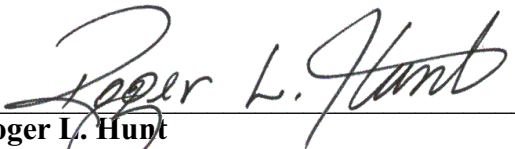
25 Second, Defendant's Motion refers to a subsection (g). There is no subsection (g) in
26 this statute. It ends with subsection (f).

1 Finally, Defendant claims he is a non-violent offender and thus qualifies for the relief
2 of the illusory subsection (f). However, he is serving his sentence for convictions of Conspiracy to
3 Distribute Methamphetamine, Conspiracy to Distribute a Controlled Substance, and Possession of a
4 controlled Substance with Intent to Distribute, all considered dangerous crimes.

5 For the foregoing reasons, his motion must be denied.

6 IT IS THEREFORE ORDERED that Defendant's **Motion for Sentence Relief**
7 **Under the Federal Prison Bureau Non-Violent Offender Relief Act of 2003** (#131) is DENIED.

8 Dated: June 17, 2010.

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11 **Roger L. Hunt**
12 **Chief United States District Judge**
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